

III. REMARKS

1. Claims 1, 2, 5-10, and 13-17 remain in the application. Claims 3, 4, 11, and 12 have been cancelled without prejudice. Claims 1, 9, 13, and 17 have been amended.

2. Claims 1-17 are patentable under 35 USC 103(a) over the combination of Preston et al. (US 2002/0032853, "Preston"), Alden et al. (US 6,101,543, "Alden") and Olofsson et al. (US 6,647,265, "Olofsson").

The combination of Preston, Alden and Olofsson fails to disclose or suggest

using an application layer of a protocol stack of the first data transmission device to entirely form messages from the information to be transmitted without using information from other layers, said entirely formed messages being different from said information to be transmitted and each including a header comprising a part common to all of the entirely formed messages and a part specifying a message type;

inserting said entirely formed messages into data fields of frames of a lower layer of said protocol stack;

as substantially recited by claims 1, 9, and 17.

Preston discloses layered secure data communication with a mobile unit. In paragraph [0040], message formation is described without reference to which layers are used to form the message. The message 202 includes a message payload 204, a message header 206 (including a destination 208) and a message type field 210. The message is formed in application layer 142 by applications 213 (see paragraph [0041]). However, Preston fails to disclose or suggest a header for each entirely formed message comprising a part common to all of the entirely formed messages and a part specifying a message type. The present claims are different from Preston because they teach a message with the header as defined above.

Alden is used to explicitly teach that the entirely formed message is inserted into data fields of frames of a lower level of a protocol stack. However, Alden fails to disclose entirely formed messages, different from the information to be transmitted, and each including a header

comprising a part common to all of the entirely formed messages and a part specifying a message type.

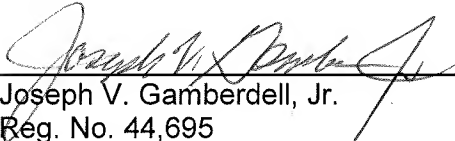
Olofsson is used to teach using a bearer specified by the second data transmission device. Similar to the other references, Olofsson fails to disclose entirely formed messages, different from the information to be transmitted, and each including a header comprising a part common to all of the entirely formed messages and a part specifying a message type.

Therefore, the combination of Preston, Alden and Olofsson fails to render claims 1-17 unpatentable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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Date

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